

**CITY OF EL PASO, TEXAS**  
**AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT:** Planning, Research & Development

**AGENDA DATE:** Introduction: April 26, 2005  
Public Hearing: May 17, 2005

**CONTACT PERSON/PHONE:** Fred Lopez, 541-4925

**DISTRICT(S) AFFECTED:** 1

**SUBJECT:**

An Ordinance changing the zoning of Parcel 1: All of Tract 9B and a portion of Tracts 6 and 10A, Block 11, Upper Valley Surveys, El Paso, El Paso County, Texas from R-F (Ranch and Farm) to R-3 (Residential) and imposing certain conditions; and Parcel 2: A portion of Tracts 9F and 10A, Block 11, Upper Valley Surveys, El Paso, El Paso County, Texas from R-F (Ranch and Farm) to R-2 (Residential) and imposing certain conditions. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Mountain Vista Realty, Inc. ZON05-00006 (District 1)

**BACKGROUND / DISCUSSION:**

See attached report.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

Development Coordinating Committee (DCC) – Approval Recommendation with conditions  
City Plan Commission (CPC) – Approval Recommendation with conditions

**\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\***

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:** George Sarmiento, AICP

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE CHANGING THE ZONING OF PARCEL 1: ALL OF TRACT 9B AND A PORTION OF TRACTS 6 AND 10A, BLOCK 11, UPPER VALLEY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO R-3 (RESIDENTIAL) AND IMPOSING CERTAIN CONDITIONS; AND PARCEL 2: A PORTION OF TRACTS 9F AND 10A, BLOCK 11, UPPER VALLEY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO R-2 (RESIDENTIAL) AND IMPOSING CERTAIN CONDITIONS. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of Parcel 1: *All of Tract 9B and a portion of Tracts 6 and 10A, Block 11, Upper Valley Surveys, El Paso, El Paso County, Texas*, as more particularly described by metes and bounds in the attached Exhibit "A", be changed **from R-F (Ranch and Farm) to R-3 (Residential)**; and Parcel 2: *A portion of Tracts 9F and 10A, Block 11, Upper Valley Surveys, El Paso, El Paso County, Texas*, as more particularly described by metes and bounds in the attached Exhibit "A", be changed **from R-F (Ranch and Farm) to R-2 (Residential)**; within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly; and

That the property be subject to the following conditions which are necessitated by and attributable to the increased intensity of use generated by the change of zoning, in order to protect the health, safety and welfare of adjacent property owners and the residents of this City:

**Parcel 1:**

1. *The gross density shall not exceed 5.0 dwelling units to the acre.*
2. *That a traffic impact study be required as part of any subdivision application(s) submitted for the subject property.*

**Parcel 2:**

1. *The gross density shall not exceed 2.5 dwelling units to the acre.*
2. *That a traffic impact study be required as part of any subdivision application(s) submitted for the subject property.*

These conditions run with the land, are a charge and servitude thereon, and bind the current property owner and any successors in title. The City may enforce these conditions by injunction or by any other legal or equitable remedy. The City Council of the City of El Paso may amend or release the above conditions in its discretion without the consent of any third person who may be benefited thereby, and without affecting the validity of this ordinance.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF JUNE, 2005.


THE CITY OF EL PASO

ATTEST:

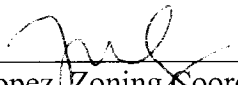
\_\_\_\_\_  
John F. Cook, Mayor

\_\_\_\_\_  
Richarda Duffy Momsen, City Clerk

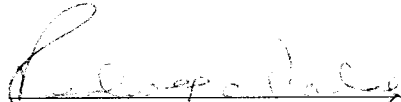
APPROVED AS TO FORM:

  
\_\_\_\_\_  
Matt Watson, Assistant City Attorney  
Doc No. 11397

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Fred Lopez, Zoning Coordinator  
Planning, Research & Development  
Department

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Rodolfo Valdez, Chief Urban Planner  
Planning, Research & Development  
Department

**ACKNOWLEDGMENT**

THE STATE OF TEXAS     )  
  )  
COUNTY OF EL PASO     )

This instrument is acknowledged before me on this \_\_\_\_\_ day of June, 2005, by JOHN F. COOK as MAYOR of THE CITY OF EL PASO.

My Commission Expires:

\_\_\_\_\_  
Notary Public, State of Texas  
Notary's Printed or Typed Name:  
  
\_\_\_\_\_

JOE WARDY  
MAYOR

JOYCE WILSON  
CITY MANAGER

GEORGE G. SARMIENTO, AICP  
DIRECTOR



**PLANNING, RESEARCH &  
DEVELOPMENT DEPARTMENT**

April 18, 2005

***CITY COUNCIL***

SUSAN AUSTIN  
DISTRICT NO. 1

ROBERT A. CUSHING, JR.  
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO  
DISTRICT NO. 3

JOHN F. COOK  
DISTRICT NO. 4

PRESI ORTEGA  
DISTRICT NO. 5

PAUL J. ESCOBAR  
DISTRICT NO. 6

VIVIAN ROJAS  
DISTRICT NO. 7

ANTHONY W. COBOS  
DISTRICT NO. 8

**TO:** The Honorable Mayor and City Council  
Ms. Joyce A. Wilson

**FROM:** Fred Lopez, Planner II / Zoning Coordinator

**SUBJECT:** ZON05-00006

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The City Plan Commission (CPC), on April 07, 2005, voted **4 - 2** to recommend **APPROVAL** of this rezoning request from R-F (Ranch and Farm) to R-3 (Residential) with conditions for Parcel 1 and R-F (Ranch and Farm) to R-2 (Residential) with conditions for Parcel 2, concurring with Staff's recommendation.

Recommended conditions:

**Parcel 1:**

1. *The gross density shall not exceed 5.0 dwelling units to the acre.*
2. *That a traffic impact study be required as part of any subdivision application(s) submitted for the subject property.*

**Parcel 2:**

1. *The gross density shall not exceed 2.5 dwelling units to the acre.*
2. *That a traffic impact study be required as part of any subdivision application(s) submitted for the subject property.*

The CPC found that this rezoning is in conformance with The Plan for El Paso; and the proposed use is in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined that this rezoning protects the best interest, health, safety and welfare of the public in general; and that the proposed use is compatible with adjacent land uses.

There was **OPPOSITION** to this request at the CPC Hearing.

## **STAFF REPORT**

**Rezoning Case:** ZON05-00006

**Property Owner(s):** Mountain Vista Realty, Inc.

**Applicant(s):** Mountain Vista Realty, Inc.

**Representative(s):** CSA Consulting Engineers

**Legal Description:** Parcel 1: All of Tract 9B and a portion of Tracts 6 and 10A, Block 11, Upper Valley Surveys  
Parcel 2: A portion of Tracts 9F and 10A, Block 11, Upper Valley Surveys

**Location:** East of Upper Valley Road and North of Artcraft Road

**Representative District:** # 1

**Area:** Parcel 1: 9.34 Acres  
Parcel 2: 16.23 Acres

**Present Zoning:** R-F (Ranch and Farm)

**Present Use:** Vacant

**Proposed Zoning:** Parcel 1: R-3 (Residential)  
Parcel 2: R-2 (Residential)

**Proposed Use:** Single-family residential development

**Recognized Neighborhood Associations Contacted:** Save the Valley, Coronado Neighborhood Association, Texas Apache Nations Inc.

**Surrounding Land Uses:**

<b>North -</b>	R-F (Ranch and Farm) / vacant
<b>South -</b>	R-F (Ranch and Farm) / vacant
<b>East -</b>	R-F (Ranch and Farm) / vacant
<b>West-</b>	C-1 (Commercial), R-3A/sp (Residential/special permit) / vacant

**Year 2025 Designation:** Residential (Northwest Planning Area)

**CITY PLAN COMMISSION HEARING, April 07, 2005,  
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

**Zoning Case: ZON05-00006**

**General Information:**

The applicant is requesting a rezoning from R-F (Ranch and Farm) to R-3 (Residential) for Parcel 1 and R-F (Ranch and Farm) to R-2 (Residential) for Parcel 2 in order to permit single-family residential development. Parcel 1 is 9.336 acres in size and Parcel 2 is 16.23 acres in size. Both parcels are currently vacant. The proposed site plan shows a total of 79 lots (39 lots for Parcel 1 and 40 lots for Parcel 2) to be located on the site. Access is proposed via Strahan Road. There are no zoning conditions currently imposed on this property.

**Information to the Commission:**

The Planning Department has received two (2) letters in opposition to this application.

**Staff Recommendation:**

The Development Coordinating Committee (DCC) unanimously recommends **APPROVAL** of this request for rezoning as follows:

Parcel 1: from R-F (Ranch and Farm) to R-3 (Residential) with the following condition:

*The gross density shall not exceed 5.0 dwelling units to the acre.*

Parcel 2: from R-F (Ranch and Farm) to R-2 (Residential) with the following condition:

*The gross density shall not exceed 2.5 dwelling units to the acre.*

The recommendation is based on the following:

**The Plan for El Paso** City-Wide Land Use Goals recommend that El Paso “provide a wide range of housing types that respond to the needs of all economic segments of the community.”

**The Year 2025 Projected General Land Use Map** for the **Northwest** Planning Area designates this property for **Residential** land uses.

**R-2/c (Residential/conditions) and R-3/c (Residential/conditions) zoning** permits single-family residential development and **is compatible** with adjacent development.

The Commission must determine the following:

- A. Will the R-3/c (Residential/conditions) zoning for Parcel 1 and R-2/c (Residential/conditions) zoning for Parcel 2 protect the best interest, health, safety and welfare of the public in general?
- B. Will single-family residential development for Parcels 1 and 2 be compatible with adjacent land uses?

**Information To The Applicant:**

Building Permits and Inspections Department Notes:

Building Permits and Inspections does not object to the proposed zone change from R-F to R-3 parcel 1: and R-2 parcel 2: for a single-family residential development.

Engineering Department, Development Division Notes:

See Enclosure 1.

Engineering Department, Traffic Division Notes:

No apparent traffic concerns.

Fire Department Notes:

Zoning change does not adversely affect the Fire Department.

El Paso Water Utilities Notes:

No comments.

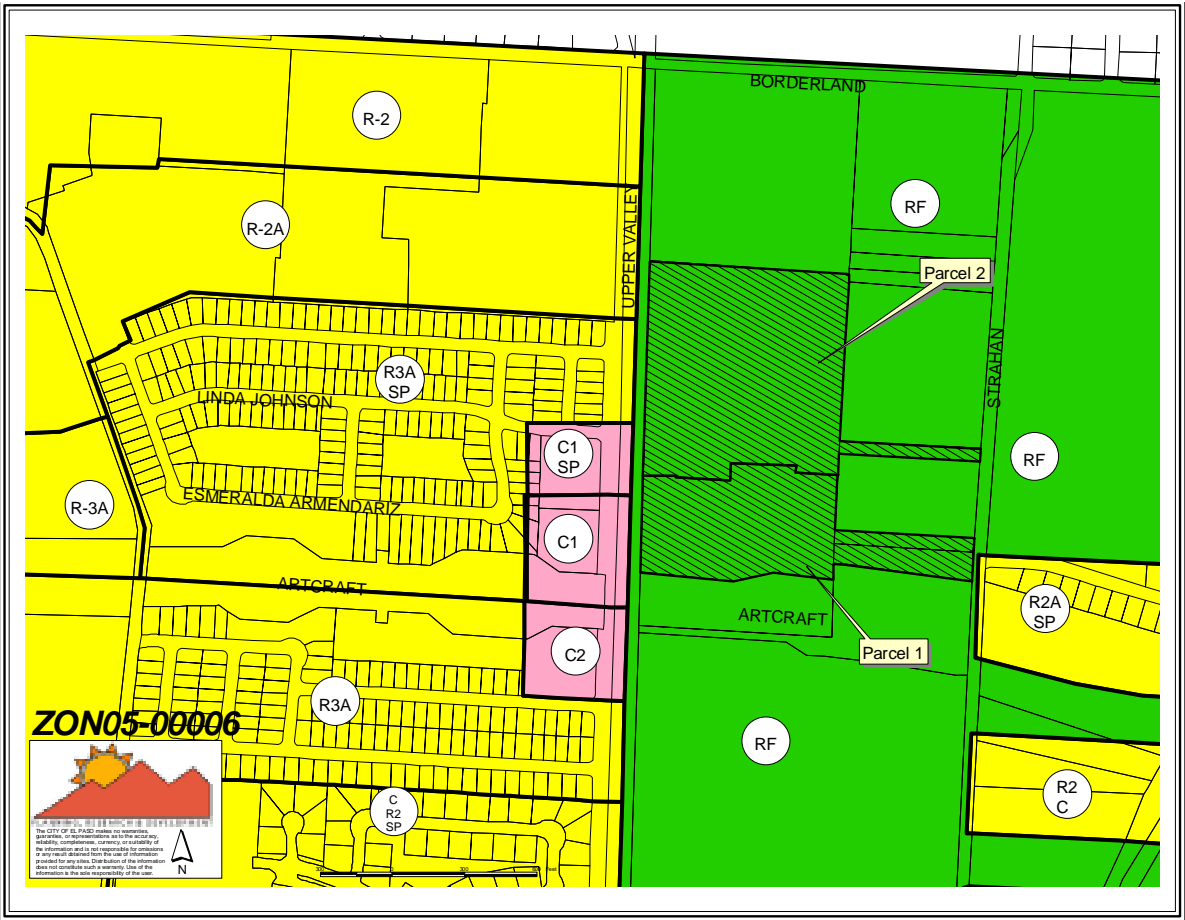
Planning, Research & Development Department Notes:

- A. Based on the recommendations of the Northwest Upper Valley Plan as approved by City Council on 1/13/04, Planning recommends approval of the proposed rezoning with a condition that the gross density not exceed 5.0 dwelling units per acre for Parcel 1 and 2.5 dwelling units per acre for Parcel 2.
- B. The proposed site plan has a gross density of 4.17 dwelling units per acre for Parcel 1 and 2.46 dwelling units per acre for Parcel 2.
- C. The Year 2025 Projected General Land Use Map for the Northwest Planning Area designates this property for Residential land uses.
- D. R-2/c (Residential/conditions) and R-3/c (Residential/conditions) zoning permits single-family residential development and is compatible with adjacent development.

**ATTACHMENT:** Site Plan; Enclosure 1.

**NOTE TO THE PROPERTY OWNER:** CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING DEPARTMENT AT (915) 541-4056.

**LOCATION MAP**





## AERIAL MAP



# GENERALIZED PLOT PLAN

